

Atty. Docket No. YOR920000132US1
(590.009)

REMARKS

Applicant and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. The Office is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the following remarks.

A telephone interview was conducted on June 6, 2005, between counsel for the Applicants and the Examiner. The focus of the interview was the interpretation to be given to the meaning of "intelligent agent". It was agreed that an intelligent agent, meaning a special program packet, fully distinguished over the Bowers et al. prior art reference. To expedite prosecution of the present application, it was suggested that the claims should be amended to recite similar language. As discussed below the claims have been amended accordingly.

In the Office Action dated March 3, 2005, Claims 1 - 21 were rejected and the action made final. Of these claims, Claims 1, 11, and 21 are independent claims; the remaining claims are dependent claims. Claims 1-4, 7, 10-14, 20-21 stand rejected under 35 USC § 102(e) as being anticipated by Bowers et al. Claims 5-6, 8, 15-16, and 18 stand rejected under 35 USC § 103(a) as being unpatentable over Bowers et al. in view of Scheidt et al. Claims 9 and 19 stand rejected under 35 USC § 103(a) over Bowers et al. in view of Scheidt et al. and further in view of Nerlikar.

Independent claims 1, 11, and 21 have been amended to recite, *inter alia*, an intelligent agent, wherein the intelligent agent comprises a computer implemented

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program packet. The current independent claims and remaining dependent claims are fully distinguishable over the prior art; therefore, withdrawal of the current rejections and allowance of the present claims is respectfully requested. Applicants intend no change in the scope of the claims by the changes made by this amendment. These amendments are not in acquiescence of the Office's position on allowability of the claims, but merely to expedite prosecution.

The arguments as expressed in the Applicant's previous Amendment dated April 30, 2004, are applicable to the present rejections and, therefore, are incorporated by reference as if fully set forth herein. To briefly summarize, Bowers et al. is directed to RFID tags, not "intelligent agents" as this term is used in the present application; i.e., Bowers et al. is directed to physical items which are physically handled by humans, unlike the present invention in which an "intelligent agent" is not a physical item, but is a "special program packet[] that can move in a network from one computer to another." (Specification, Page 1, lines 6-7) As such, an "intelligent agent" is not a physical item but exists virtually and is "capable of performing intelligent tasks inside computers". (Specification, Page 2, lines 1-2) Thus, the present invention does not determine the location of a physical item, but rather determines the location of a virtual "special program packet".

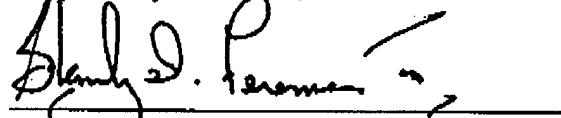
For the aforementioned reasons, the applied references clearly fall short of the present invention and, as such, Bowers et al. does not anticipate the present invention under 35 U.S.C. 102(e). Furthermore, a 35 U.S.C. 103(a) rejection requires that the combined cited references provide both the motivation to combine the references and an

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expectation of success. Not only is there no motivation to combine the references and no expectation of success, actually combining the references would not produce the claimed invention. Thus, the claimed invention is patentable over the applied references and the state of the art.

In summary, it is respectfully submitted that the instant application, including Claims 1 - 21, is presently in condition for allowance. Notice to that effect is earnestly solicited. Applicant's undersigned attorney would welcome further discussion with the Office in the event there are any further issues with this application.

Respectfully submitted,



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